

MEMORANDUM

DATE: January 13, 2016

TO: Planning Commissioners

CC: Mayor Don Kyle; Wally Terry; Herman Marks; Tony

Powell; Tom Polk; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

January 19, 2016

Pre-meeting – 2:15 p.m. (Annex)

Meeting – 3:15 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL January 19, 2016

Time: 3:15 PM

City Council Chambers

Commissioners: Tracy Tubbs, Chairman; Em Barran, Vice Chairman; Kent Lawrence, Secretary; Gary Borden; Chuck Ard; Frances Tate; Joseph Wynn; Nell Standridge; Eddie Pike

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- December 22, 2015

3. PUBLIC HEARING

PAGE/MAP

ZONING TEXT AMENDMENTS

A. ZTA 233-16

1/7-10

PLAT REVIEW

A. H.C. and Lula Mae Ryan Family Subdivision – Minor Plat
(North of Chestnut Mountain Rd. SW and west and east side of Danville Rd.SW) see plat

4. CONSENT AGENDA

CERTIFICATES

A. 3298-16	Certificate to Consolidate (North of Vestavia Drive SW and west side of Danville Rd. SW)	3/12-13
B. 3299-16	Certificate to Subdivide (South side of Mud Tavern Rd. and east side of Creekside Pvt. Drive)	3/14-15
C. 3300-16	Certificate to Consolidate (South of McGlathery Lane SE and west side of Veterans Dr. SE)	4/16-18
D. 3301-16	Certificate to Subdivide (North side of Upper River Rd. SE and east of Old River Rd. SE)	4/19-20
E. 3302-16	Certificate to Consolidate (North of 7 th St. SE and east side of 6 th Avenue SE)	4/21

PLAT REVIEW

A. Watermark Business Park Subdivision – Layout Approval (North of AL State Highway 20 and east side of Red Hat Road)

5/22 see plat

SITE PLAN REVIEW

A. 536-16

5/23

Dunkin' Donuts (North of 7th Street SE and east side of 6th Avenue SE)

see plat

Minutes Zoning Committee January 12, 2016

PUBLIC HEARING

ZONING TEXT AMENDMENT

ZTA 233-16

Applicant: City of Decatur

Owner: N/A

Zoning: NA

Acreage: NA

To amend the zoning ordinance to establish definitions for Bus Transit Company, Charter Bus, and Transit Center/ Station and it them some standards. Request:

Location:

NA

Recomm:

The Zoning Committee recommends approval of this zoning text amendment.

Minutes Subdivision Committee January 12, 2016

PLAT REVIEW

H.C. and Lula Mae Ryan Family Subdivision - Minor Plat

Applicant: Bryan Gibson for Ryan Family Owner: Ryan Family

Zoning: AG-1, Agricultural Acreage: 31.11 acres

Request:

Minor plat approval to subdivide 31.11 acres into 8 tracts of 6.32 acres, .65 acres, .46 acres,

3.70 acres, 68 acres, 9.22 acres, 6.36 acres and 3.72 acres

Location:

North of Chestnut Mountain Rd. SW and west and east side of Danville Rd. SW

Conds:

- 1. Payment of \$140 for the plat application fee
- 2. Payment of \$71.28 for notification of adjacent property owners
- 3. Payment of \$21.00 for plat recording fee
- 4. Provide a "Title Opinion" to the Planning Department by a licensed AL Attorney
- 5. Amend plat to show four State Plane Coordinates based on the North American Datum 1983, Alabama West Zone
- 6. Health Department approval and signage of plat will be required
- 7. Amend "Planning Commission" signature block to show correct subdivision information
- 8. Provide easements for all existing utilities to be approved by DU and Joe Wheeler Electric. All easements to be shown on the plat.

Pt. of Info:

- (1) Any relocation of utilities will be at the owner's expense.
- (2) If and when the owners of Tract 4 acquire the property to the north it shall be consolidated with said Tract 4

Recomm:

Approval with stated conditions

END PUBLIC HEARING

CONSENT AGENDA

Minutes Subdivision Committee January 12, 2016

CERTIFICATES

3298-16 Certificate to Consolidate

Applicant: Frank Hernandez

Owner: Same

Zoning: AG-2, Agricultural

Acreage: 3.08 acres

Request:

Consolidate a 1.82 acre tract and a 1.26 acre tract into one tract of 3.08 acres

Location:

North of Vestavia Drive SW and west side of Danville Rd. SW

Conds:

- 1. Payment of recording fees
- 2. Provide copy of deed as proof of ownership
- 3. Provide letter signed by the property owner requesting the consolidation
- 4. Amend survey to show four State Plane Coordinates based on the North American Datum 1983, Alabama West Zone
- 5. Verify septic tank approval for the existing house
- 6. Dedicate 15' easement for existing power line (7.5' either side)
- 7. Provide electrical guy wire easement (10' wide at Danville Rd. and 15' to the west, perpendicular to Danville Rd.) at the southeast corner of the property, per DU

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm:

Approval with stated conditions

3299-16 Certificate to Subdivide

Applicant: Gerald E. Victory

Owner: Same

Zoning: Outside Corp Limits

Acreage: 24.05 acres

Request:

Subdivide 24.05 acres into two tracts of 12.24 acres and 11.81 acres

Location:

South side of Mud Tavern Rd. and east side of Creekside Pvt. Drive

Conds:

- 1. Identify Mud Tavern Rd. on the survey plat and show ROW amount.
- 2. Property owner to sign a ROW dedication (30' from the centerline of the road)
- 3. Provide a stamped and sealed survey for recording
- 4. Amend survey to show four State Plane Coordinates based on the North American Datum 1983, Alabama West Zone
- 5. Payment of recording fees
- 6. Provide copy of deed as proof of ownership
- 7. Provide letter signed by property owner requesting subdivision

Pt. of Info:

- (1) Any relocation of utilities will be at the owner's expense.
- (2) No further subdivision of either tract because they cannot meet site distance requirements, per County Engineer

Recomm:

Approval with stated conditions.

3300-16 Certificate to Consolidate

Applicant: Ozier Family Ltd. Partnership

Owner: Same

Zoning: M-2, Heavy Industry

Acreage: 1.76 acres

Request:

Consolidate Lot 6 of Willo Commercial Park with an existing .32 acre tract into one tract of

1.76 acres

Location:

South of McGlathery Lane SE and west side of Veterans Dr. SE

Conds:

1. Payment of recording fees

2. Amend survey to show four State Plane Coordinates based on the North American

Datum 1983, Alabama West Zone

Pt. of Info:

(1) Any relocation of utilities will be at the owner's expense.

(2) A site plan, approved by the Planning Commission, will be required

before any permits can be issued.

Recomm:

Approval with stated conditions

3301-16 Certificate to Subdivide

Applicant: Joe Lubisco

Owner: Same

Zoning: Outside Corporate Limits

Acreage: 5.99 acres

Request:

Subdivide 5.99 acres into two tracts of 5.00 acres and .99 acres

Location:

North side of Upper River Rd. SE and east of Old River Rd. SE

Conds:

1. Payment of recording fees

2. Amend survey to show four State Plane Coordinates based on the North American

Datum 1983, Alabama West Zone

3. Verify/obtain septic tank approval for the existing house

4. Provide letter signed by the property owner requesting subdivision

5. Amend survey to show different point of beginning (per County Engineer)

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm:

Approval with stated conditions

3302-16 Certificate to Consolidate

Applicant: Albany Properties, LLC

Owner: Same

Zoning: RD-2, Redevelopment Acreage: Approx. .48 acres

Moreage, Approx. To does

Request:

Consolidate Lots 19, 21 and 23 of Block 62, DLI&F, Addition No. 4 into one .48 acre tract

Location:

North of 7th St. SE and east side of 6th Avenue SE

Conds:

1. Provide a stamped and sealed survey for recording

2. Payment of recording fees

3. Amend survey to show ROW's for 6th Avenue and 7th Street SE

4. Amend survey to show four State Plane Coordinates based on the North American Datum 1983, Alabama West Zone

5. Amend Certificate to Consolidate to include owner's name, remove the word SAMPLE and the watermark from the document for recording purposes

6. Dedicate a 5' easement along 6th Avenue SE for conduit

7. Dedicate a 5' utility easement along alleyway

Pt. Of Info:

Any relocation of utilities will be at the owner's expense.

Recomm:

Approval with stated conditions

PLAT REVIEW

Watermark Business Park Subdivision - Layout Approval

Applicant: Hickory Creek Properties, LLC

Owner: John Eyster, Jr.

Zoning: Outside Corp Limits

Acreage: 16.92 acres

Request:

Layout approval to subdivide 16.92 acres into two tract of 2.00 acres and 14.92 acres

Location:

North of AL State Highway 20 and east side of Red Hat Road

Conds:

- 1. Extend sewer to property (annexation request has been submitted)
- 2. Property owner to sign "Petition for Sewer for Property Outside the Corp Limits" and the Petition to be recorded in the Judge of Probate Office

3. Payment of recording fees for sewer petition

4. Provide cross section designed for Liberty Way NW – to be reviewed and approved by City and County Engineers

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm:

Approval with stated conditions

SITE PLAN REVIEW

536-16 Dunkin' Donuts

Applicant: Ed Robinson

Zoning: RD-2, Redevelopment

Owner: Albany Properties LLC

Acreage: .48 acres

Request:

Site plan approval for the construction of a new Dunkin' Donuts

Location:

North of 7th Street SE and east side of 6th Avenue SE

Conds:

- ALDOT approval required.
- 2. Provide revised site plans (five sets of civil drawings required)
- 3. Sidewalks & curbing shall be constructed where property is contiguous with 6th Avenue and 7th Street SE and be ADA compliant to be approved by Engineering & ALDOT
- 4. Landscaping plan to be revised to show Bermuda sod (seed & straw not permitted)
- 5. Rear property line to be landscaped to provide screen for residential properties
- 6. Provide irrigation and lighting plans

Minutes Subdivision Committee January 12, 2016

7. Provide signage plans

- 8. Amend site plan to show dumpster location. Power lines running from building to northeast corner of the property to be put underground
- 9. Show grease interceptor plans on civil drawings in the plumbing section
- 10. Remove references to Huntsville on civil drawings and title sheet

Pts. Of Info: Any relocation of utilities will be at the owner's expense.

Recomm:

Approval with stated conditions.

END CONSENT AGENDA

ZTA 233-15 TRANSIT CENTERS

SECTION	CURRENT	PROPOSED
25-2 (6a)	Caterer, Catering, Catering Service,	Bus Transit Company: A company that
	Manufacturing. A person, business or	contracts for or provides transportation
	service that provides food only at the	by bus for people.
	request of a land owner of a construction or	
	manufacturing site, uses only commercially	
İ	licensed vehicles equipped for the purpose	
	of transporting or preparing food to be sold	
	directly from such vehicle and only to those	
	employees of the construction site or	·
	manufacturing site where the vehicle is	
	located. The vehicle shall be located on the	
	site and shall not sell from the Public Right	
	of Way without a franchise agreement from	
	the City of Decatur. Such person, business,	
:	service is not a home occupation, is in	
	possession of a health department permit,	
[has a permanent fixed location where the	
-	food is prepared, and has obtained a City	
05.0 (07)	business license. Caterer, Catering, Catering Service,	Caterer, Catering, Catering Service. A
25-2 (6B)	Manufacturing. A person, business or	person, business or service that
	service that provides food only at the	contracts to provide food and incidental
	request of a land owner of a construction or	service at the request of an owner for a
	manufacturing site, uses only commercially	social affair or for a private dwelling for a
	licensed vehicles equipped for the purpose	fee or to prepare on site for an agency or
	of transporting or preparing food to be sold	group to sell to the public as a fund
	directly from such vehicle and only to those	raiser. Such person, business or service
	employees of the construction site or	is not a home occupation, is in
	manufacturing site where the vehicle is	possession of a health
	located. The vehicle shall be located on the	department permit, has a permanent
	site and shall not sell from the Public Right	fixed location, and has obtained a City
7	of Way without a franchise agreement from	business license.
	the City of Decatur. Such person, business,	
	service is not a home occupation, is in	
	possession of a health department permit,	
	has a permanent fixed location where the	
	food is prepared, and has obtained a City	
05.0.0 (00)	business license. Does not exist at this time	Caterer, Catering, Catering Service,
25-6-2 (6C)	Does not exist at this time	Manufacturing. A person, business or
		service that provides food only at the
		request of a land owner of a construction
		or manufacturing site, uses only
		commercially licensed vehicles equipped
		for the purpose of transporting or
ļ		preparing food to be sold directly from
- Kanara		such vehicle and only to those
		employees of the construction site or
		manufacturing site where the vehicle is
		located. The vehicle shall be located on
		the site and shall not sell from the Public
		Right of Way without a franchise

SECTION	CURRENT	PROPOSED
	-	agreement from the City of Decatur. Such person, business, service is not a home occupation, is in possession of a health department permit, has a permanent fixed location where the food is prepared, and has obtained a City business license.
25-2 (6d)	Does not exist at this time	(6d) Charter Busses. Any Bus that is privately contracted for to provide transportation for a specific group with a specific itinerary. The agency contracting with the Charter Bus shall be responsible for providing off street loading and unloading of the vehicle and off street private parking for the bus passengers.
25-2 (34a)	Usage. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense. Words used in the plural number include the singular. The word "herein" means "in these regulations". The phrase "these regulations" means "Chapter 25 of the Code of the City of Decatur, Alabama". The word "person" includes a corporation, a partnership, and an incorporated association of persons such as a club, or any other legal entity. The word "shall" is always mandatory. A "building" or "structure" includes any part thereof. That which is "adjacent" may be separated by some intervening object. That which is "adjoining" must touch in some part.	Transit Center/ Station: Any premises for the loading and unloading of passengers by a public or private bus transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking and storage and maintenance of transit vehicles. This definition shall not include school bus stops along rights of way, or MCATS transportation vehicles. Charter busses as defined by this ordinance hired by a local organization are not included. They shall only be allowed in M2 zones on lots with a minimum 200 feet on a state highway and a driveway length of 200 feet. Transit Center/ Stations cannot be located within 200 feet of any residentially zoned property. They shall also be safely lit and provide indoor waiting areas. All drop off or pick up activity shall take place completely off the public right of way on private property.
25-2 (34b)	Does not exist at this time	Usage. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth below. Unless the context clearly indicates to

SECTION	CURRENT	PROPOSED
	·	the contrary, words used in the present tense include the future tense.
		Words used in the plural number include the singular.
		The word "herein" means "in these regulations".
		The phrase "these regulations" means "Chapter 25 of the Code of the City of Decatur, Alabama".
		The word "person" includes a corporation, a partnership, and an incorporated association of persons such as a club, or any other legal entity.
		The word "shall" is always mandatory.
		A "building" or "structure" includes any part thereof.
		That which is "adjacent" may be separated by some intervening object.
		That which is "adjoining" must touch in some part.

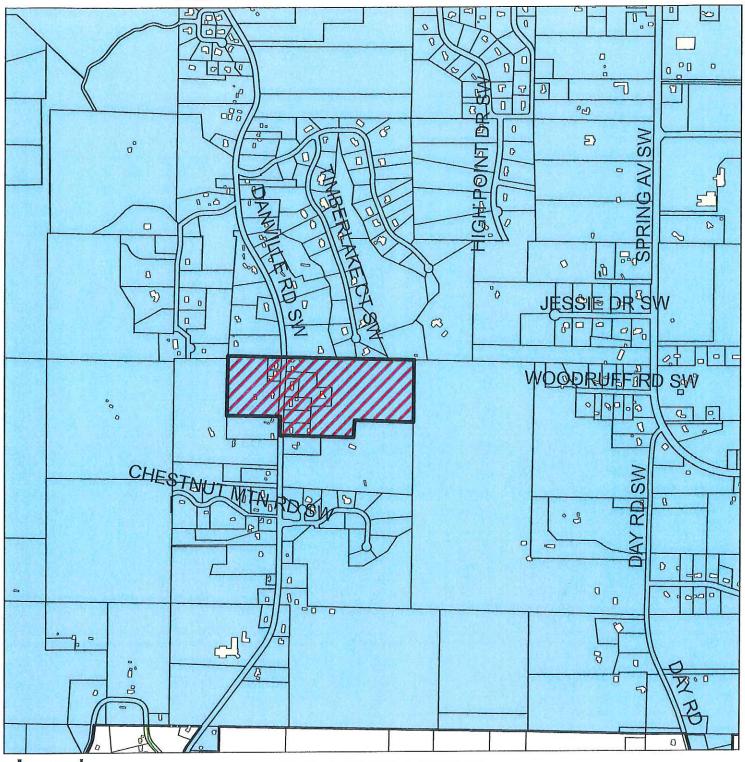
COUNTY RD 222 AL HWY 20 OLD MOULTON! BROWNRD NEEL, SCHOOL RD -AMON DR DELTA'DR DANVILLERD 73 M-2 5 R-1E I-D AG-2 GARRETT B-2 AG-991 FII RD 165 SB RB SKIDMORE MOORESVILLE RO AT YOUAL TALL PINE RD DAVIS PRYORIRD 雷 THE WORLINGS PERRY M CAIŃ RD

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED. assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. City of Decatur Community Planning and Economic Development Note: Every reasonable effort has been made to



Legend
STREET
DECATUR Corporate

H. C. AND LULA MAE RYAN FAMILY MINOR SUBDIVISION PLAT



Legend

LOCATION MAP

Buildings

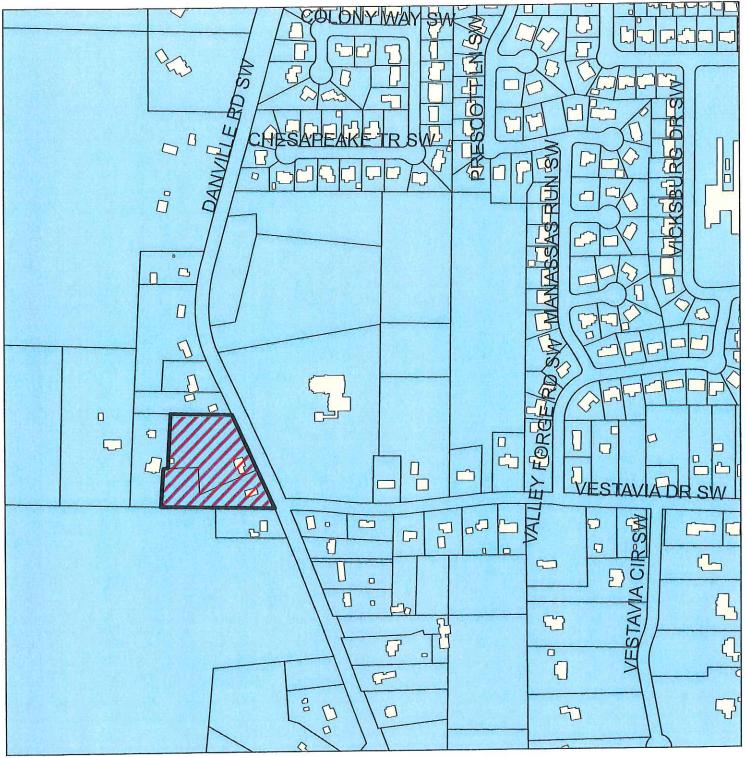
APPLICANT BRYAN GIBSON FOR RYAN FAMILY

Ownership

CorporateLimits

PROPERTY ZONED AG-1

CERTIFICATE TO CONSOLIDATE NO. 3298-16



Legend

LOCATION MAP

Buildings

APPLICANT: FRANK HERNANDEZ

Ownership Ownership

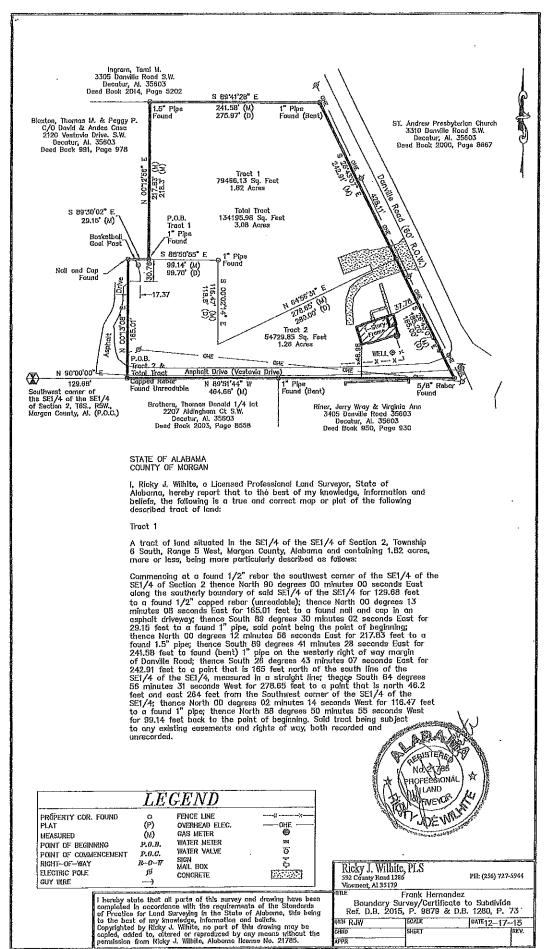
CorporateLimits

SUBJECT PROPERTY

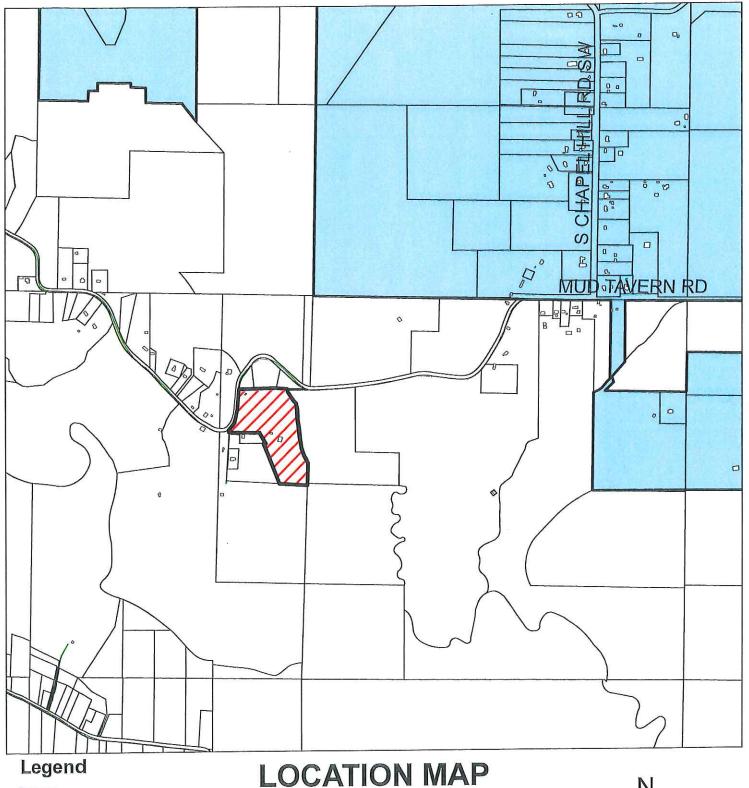
PROPERTY ZONED AG-2



CERTIFICATE TO CONSOLIDATE NO. 3298-16



CERTIFICATE TO SUBDIVIDE NO. 3299-16



Buildings
Ownership
CorporateLimits

DUCATION IVIAP

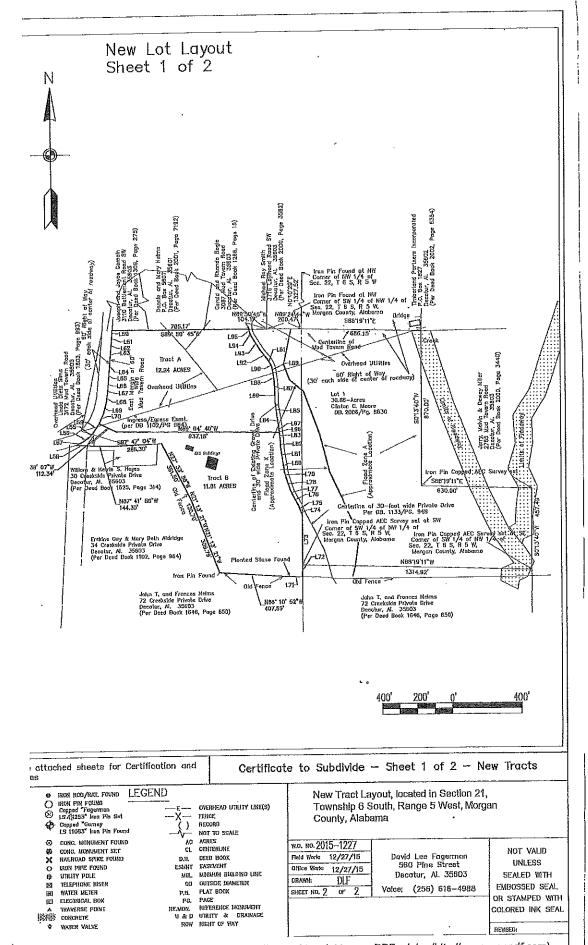
SUBJECT PROPERTY

PROPERTY PJ ONLY

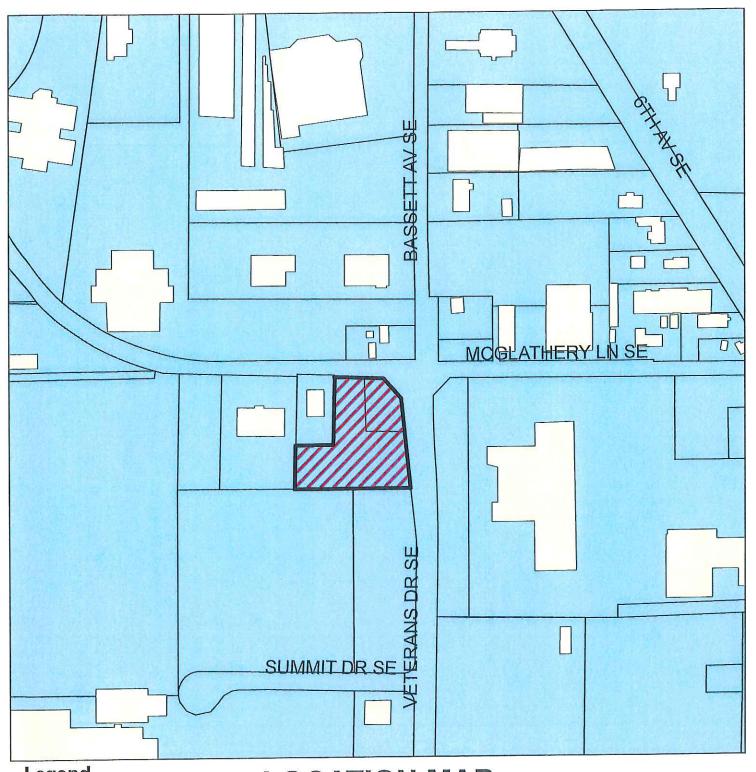


DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3299-16



CERTIFICATE TO CONSOLIDATE NO. 3300-16

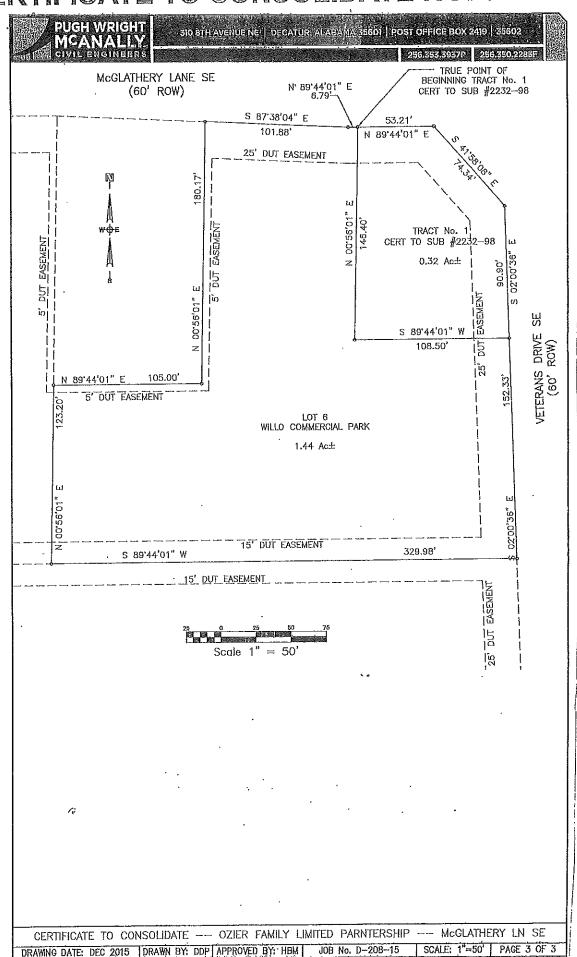


Legend **LOCATION MAP** Buildings APPLICANT OZIER FAMILY Ownership LIMITED PARTNERSHIP CorporateLimits **PROPERTY ZONED M-2** SUBJECT PROPERTY

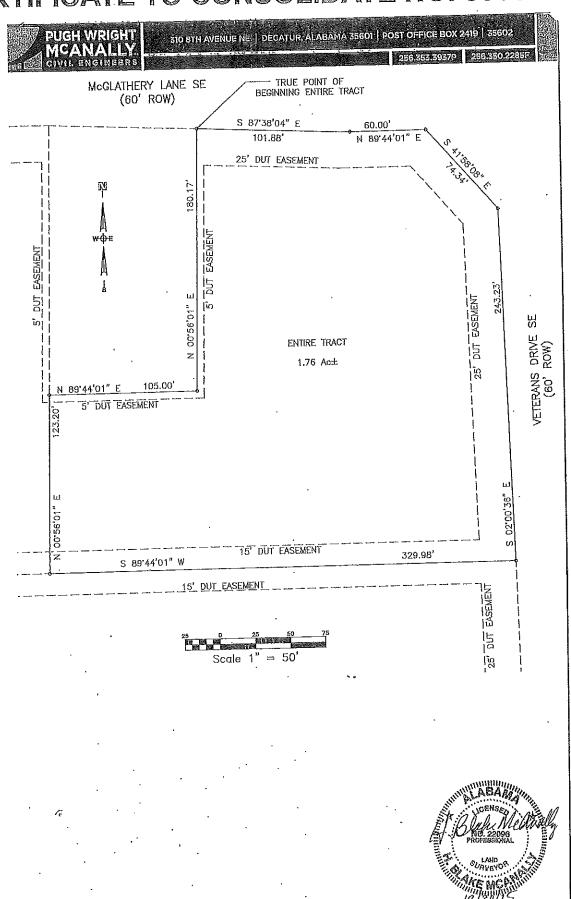


DRAWING NOT TO SCALE

CERTIFICATE TO CONSOLIDATE NO. 3300-16



CERTIFICATE TO CONSOLIDATE NO. 3300-16

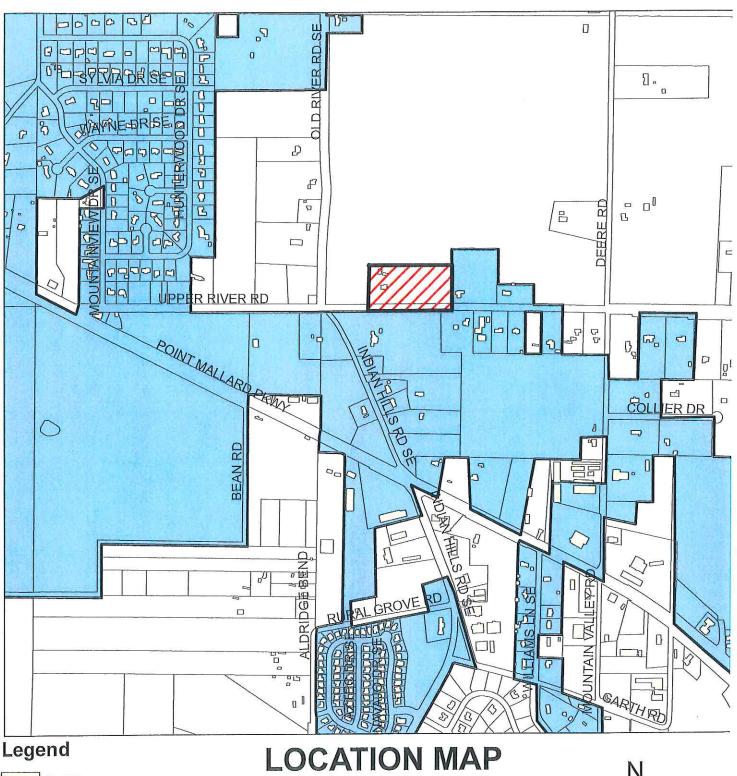


BOUNDARY SURVEY -- ÖZIER FAMILY LIMITED PARNTERSHIP -- McGLATHERY LN SE SCALE: 1"=50' | PAGE 2 OF 2

JOB No. S-209-15

TORAWN BY: DOP! APPROVED BY: HBM

CERTIFICATE TO SUBDIVIDE NO. 3301-16



Legend

Buildings

Ownership

CorporateLimits

SUBJECT PROPERTY

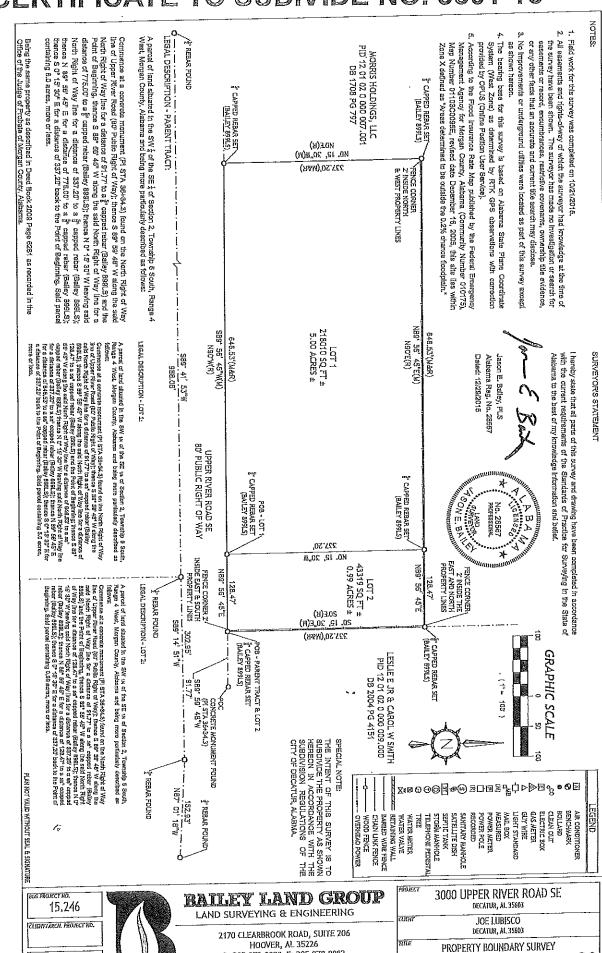
LOCATION MAP

APPLICANT: JOE LUBISCO

PROPERTY PJ ONLY

W S 19
DRAWING NOT TO SCALE

CERTIFICATE TO SUDIVIDE NO. 3301-16



P: 205.978.0080 F: 205.978.0082

www.baileylandgroup.com

SHEET NO.

1

ΛF

PRINTED TO SCALE ON 11" x 17" PAPER

1E 20

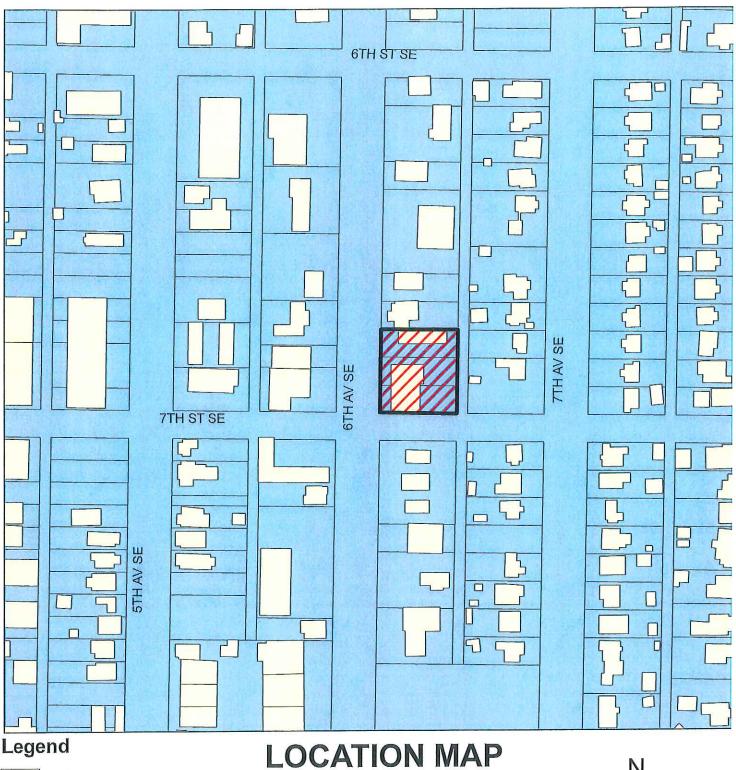
PROPERTY BOUNDARY SURVEY

ISCALE

CHECKED BY

ALT

CERTIFICATE TO CONSOLIDATE NO. 3302-1



Legend

Buildings

Ownership

APPLICANT: ALBANY PROPERTIES, LLC

CorporateLimits

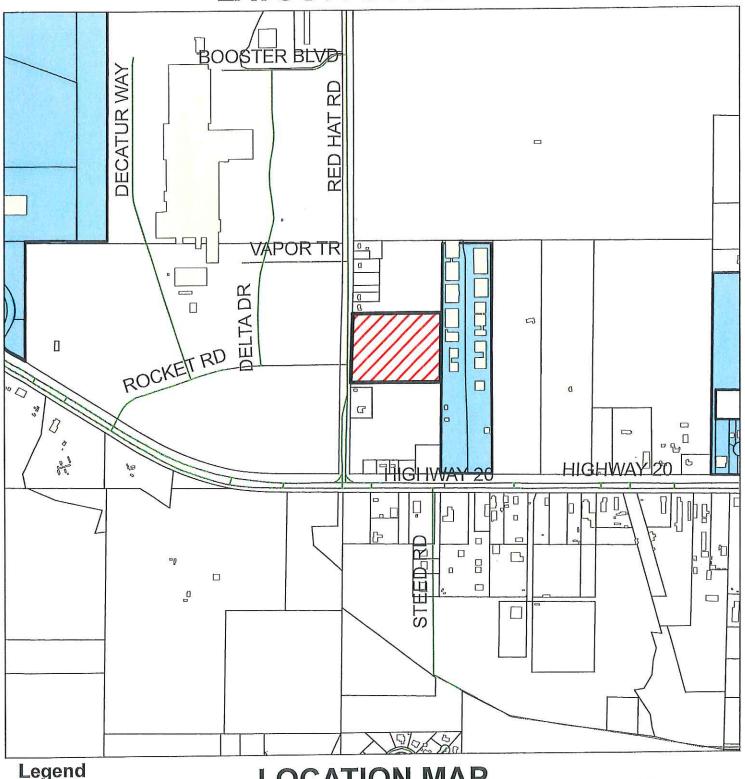
SUBJECT PROPERTY

PROPERTY ZONED RD-2



DRAWING NOT TO SCALE

WATERMARK BUSINESS PARK SUBDIVISION LAYOUT APPROVAL



Legend

LOCATION MAP

Buildings
APPLICANT HICKORY CREEK PROPERTIES, LLC
Ownership
PROPERTY PJ ONLY
(PROPOSED TO BE ANNEXED
AND ZONED M-2)

SUBJECT PROPERTY
S

Corporate Limits

Corporate Limits

SUBJECT PROPERTY

S

Corporate Limits

Corporate Limits

S

Corporate Limits

Corporate Limits

Corporate Limits

S

Corporate Limits

Corporate Limits

Corporate Limits

S

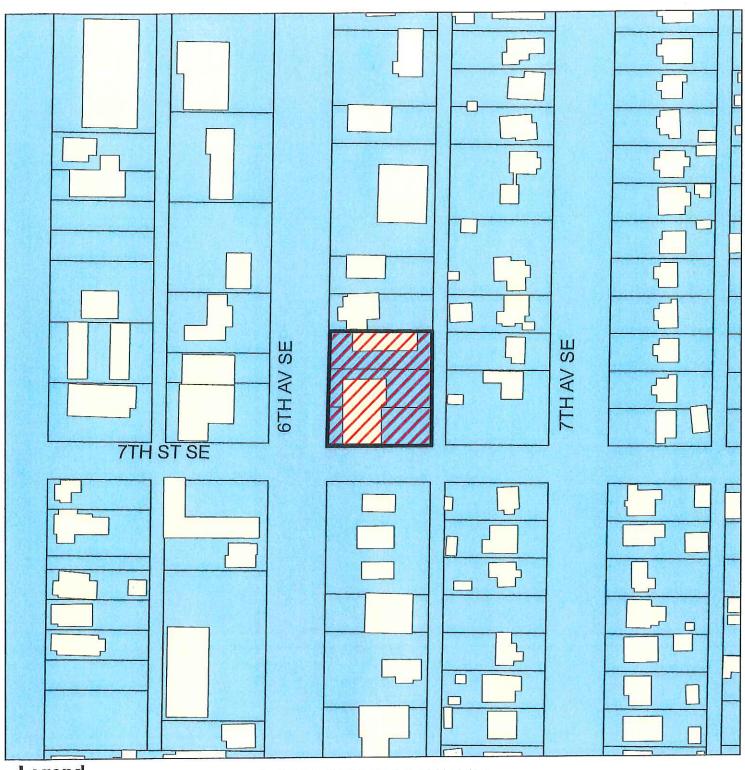
Corporate Limits

Corporate Limits

S

Corporate Limits

SITE PLAN NO.536-16



Legend Buildings Ownership CorporateLimits LOCATION MAP APPLICANT ED ROBINSON

SUBJECT PROPERTY

W E

DRAWING NOT TO SCALE